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Sent: Thursday, November 15, 2007 8:04 AM  
To: MLPACComments  
Cc: Arch Richardson  
Subject: Marine Life Protection Act initiative - Sonoma County /  
Mendocino County

Responding directly to the points posed on the Department of Fish and Game site "Why the California Marine Life Protection Act Initiative?", I would like, as an opener to make the following points. I write from the perspective of one who was both born and raised in the coastal areas of southern Mendocino and northern Sonoma counties and one who has family and friends in these areas that I frequently visit; these frequent visits invariably involve accessing and using, for a wide variety of activities, these coastal areas.

1. "...threatened by coastal development, water pollution, and other human activities."

- Any current development must go through both a local and state level or multiple level process of approval already. This has been incrementally the case, and has expanded, since the passage of the Coastal Protection Act in 1972.
- Water pollution, tied to development, is also part of the regulation and state policing activities that already take place.
- Human activities include exactly what - people walking on the beach? using trails? taking fish or shell fish? If there are human activities, like littering, those need to be and are supposed to be policed by the public coastal land authorities or the private property owners. Those private property owners, it has been and continues to be my experience, are the best stewards of the land to begin with.

2. "The U. S. Commission on Ocean Policy ..."

- What is "crisis"?
- What relevancy to this initiative?

3. "The 1999 Marine Life Protection Act mandated ..."

- If it was mandated in 1999, without having read this act, then why is the state just now getting to this?
- We have marine reserves, marine parks and marine conservation areas already in place in these areas, some of which have been in place for decades
- In addition, the state, broadly defined, already has a number of layered controls or plans regarding fishing, pollution, development, and access that, to my opinion, already highly regulate the use of both public and private lands in both northern Sonoma and southern Mendocino counties coastal areas.
- Another point, referenced above in the first paragraph, is that we continue to pass laws regulating the myriad of human activities that take place in and around the coastal waters of the state. We must first look at the applicability of these current laws and their enforcement. That it appears to not be an issue or concern here; the solution, apparently, is to pass another, very broad and impactful, law that has far-reaching and improper impacts.

4. "The Governor is committed to ..."

- The Governor, without trying to get any more political than this statement already has, has also supported other ideas, some of which

were successes and some of which were abject failures; those failures included overwhelming rejection by the voters on several issues.

- Having worked at a high level in a state organization, the Governor's support or statements related to that issue, are often times used by agencies under his control, such as Fish and Game, as part of their internal political functions; I suspect that is true in this case.

5. "The Resources Agency and ..."

- Does this mean that the public comment period, meetings and the chance like this to express my opinion as a citizen and resident are meaningless?

- If "committed to implementing the MLPA" means what any neutral reading of that statement would indicate, then what is the purpose of going through this or any process?

- This cannot stand; the Department of Fish and Game cannot just implement rules and regulations of such import with taking into account all reasonable factors, including public input and concerns.

6. "The state is leveraging public money with private resources ..."

- What private resources? Are we talking land, money, other resources?

- Are these from interest groups that would prefer that humans not be able to enjoy the pleasures afforded by our coast or mountains or deserts? In other words, are these focus groups that the state, at least in this case, is in agreement with that seeks to control private property for their definition of the greater "public good". That is not for them to say - we do not need an entity which is not accountable, under our system, to the people; nor should we allow any such groups, working through compliant and complicit government bodies or officials to push their agendas over the rights of the greater populace.

7. "The Initiative is founded on solid public leadership ..."

- Reference all the points made above.

- In addition, if the "Resources Agency and the Department of Fish and Game are committed to implementing the MLPA through a new approach", is that really consistent with this statement?

- If, as it seems more and more apparent, the decisions are already made or the process is being manipulated to justify the desired goal, then this statement another example of government speak, consistent with the concept that the government will take care of all of us and decide what is best for our lands and our interests in using these lands.

8. "The Initiative will be an open and transparent process" ...

- Again, reference all the points made above.

Finally, if there are valid, verifiable issues with overuse, pollution, overfishing then the state should first look to the controls or the ability to re enforce those efforts that are already in place to address those issues. This is more difficult, but certainly much less intrusive and improper, than trying to just make draconian, ill-conceived dictates that will not do anything more than shrink the public's right to use these areas and the property owners rights and responsibilities to their lands.